IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1632 OF 2004

Manoj Hirachand Shah ...Petitioner.

Versus

State of Maharashtra
and Anr. ...Respondents.

....

Mr.Subhash Jha, Advocate for the Petitioner.
Ms.S.V.Gajare, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : AUGUST 16, 2006.

P.C.:

1. Heard Mr.Jha, learned Counsel for the petitioner and Ms.Gajare, learned APP for the State.

2. The petitioner is facing prosecution under Section 138 of the Negotiable Instruments Act in CC No.144/S/2001, which is pending before the learned Metropolitan Magistrate, 27th Court at Mulund, Mumbai.

3. The point raised in the present petition is covered by the decision of this Court in **KSL and Industries Ltd., Vs. Mannalal Khandelwal & Ors.**

reported in **2005 Cri.L.J. 1201**.

4. In this view of the matter, the case of present petitioner would be covered by this decision. The learned Magistrate to conduct a trial as per the said decision.

5. With the above observations, Writ Petition is disposed of.

(SMT.V.K.TAHILRAMANI,J.)